

REMARKS

By this amendment, applicants have amended claims 1 and 10 to change the phrase "an extending protruded from a third side of said second plate" to --an extended portion protruded from a third side of said second plate--. In view of the foregoing amendments to claims 1 and 10, it is submitted all of the claims now in the application comply with the requirements of 35 U.S.C. 112, second paragraph. Therefore, reconsideration and withdrawal of the rejection of claims 1-4 and 10-13 under 35 U.S.C. 112, second paragraph, are requested.

Claims 1-4, 10-13 and 19-22 stand rejected under 35 U.S.C. 102(b) as allegedly being anticipated by European Patent Application Publication No. 0 477 727 (EP '727) to Kawanishi et al. Applicants traverse this rejection and request reconsideration thereof.

The present invention relates to a manufacturing method of a structural body, to a structural body, and to a car body of a railway vehicle. The rejected claims involve the use of first and second plates in which the first plate or frame member has a recessed portion and the second plate has an extended portion protruding therefrom. Note the corrections to independent claims 1 and 10. As set forth in the rejected claims, the extended portion is inserted in and abutted to the recessed portion and the respective abutted portions welded.

EP '727 discloses a body structure for railway vehicles formed of a plurality of sections. Each of the sections has a reinforcement in an integrally continuous construction. The reinforcement has a plurality of through-holes which reduce total weight of the reinforcement and a plurality of ribs formed around the holes. The reinforcement is securely placed together with a surface of an outer plate.

The Examiner refers to Figures 3A -3C of EP '727 which shows an end body structure of the railway vehicle. In the embodiment shown in Figures 3A-3C, two end wall frames 33 are connected together with an end entrance upper frame 34 therebetween. However, the office action again makes absolutely no mention of any of the frames having a recessed portion and being abutted to and joined to another sub-assembly having a raised or extended portion protruding therefrom. In fact, it appears EP '727 does not disclose the use of first and second plates in which the first plate or extruded frame member has a recessed portion and the second plate has a raised or extended portion protruding therefrom, the raised or extended portion being inserted in and abutted to the recessed portion and the respective abutted portions welded, as presently claimed. Therefore, EP '727 clearly does not anticipate claims 1 - 4, 10 – 13 and 19 - 22.

Contrary to the Examiner's allegations, EP '727 does not disclose a plurality of plates for a rail car body arranged in the manner recited in the rejected claims. That is, EP '727 does not disclose an extended portion of one plate inserted into and abutting a recessed portion of another plate, as presently claimed. Thus, the nesting structure presently claimed is not disclosed by EP '727. Therefore, EP '727 does not anticipate the presently claimed invention.

Applicants note the allowance of claims 5-9, 14-18, 23-39.


In view of the foregoing amendments and remarks, favorable reconsideration and allowance of all of the claims now in the application are requested.

To the extent necessary, applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to the deposit account of Antonelli,

Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (Case: 503.40902X00),
and please credit any excess fees to such deposit account.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP



Alan E. Schiavelli
Registration No. 32,087

AES/at
(703) 312-6600